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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/809,294 | 03/25/2004 | Anton Strassgurtl | 22853 | 6051 |
| 535 | 7590 | 08/10/2006 | EXAMINER | |
| THE FIRM OF KARL F ROSS 5676 RIVERDALE AVENUE PO BOX 900 RIVERDALE (BRONX), NY 10471-0900 | | | | ELDRED, JOHN W |
| ART UNIT | | PAPER NUMBER | | |
| | | 3641 | | |

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/809,294 | STRASSGURTL ET AL. |
| | Examiner | Art Unit |
| | J. Woodrow Eldred | 3641 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 July 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 18-34 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 30-34 is/are allowed.
- 6) Claim(s) 18-27 is/are rejected.
- 7) Claim(s) 28 and 29 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 18, 19, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zonak (6,658,984) in view of Honlinger (6,779,431).

Zonak discloses an armored vehicle disclosing a vehicle body 20, a downwardly concave one-piece armoring plate 1 mounted below the vehicle body, and where the armoring plate is separated from other vehicle elements 2 mounted above it by an amount allowing the buckling of the armor plate upon action of an explosion (column 3, lines 7-11). It is somewhat unclear if plate 1 is the floor upon which the passengers actually stand, or if other body elements are the “floor” upon which people rest their feet. See Figure 1 and elements 10, and column 3, lines 1-22. Zonak also fails to show that the concave plate has a “longitudinally extending bending edge”. Honlinger teaches that it is known to provide a “longitudinally bending edge” to shape the bottom of a vehicle armor plate to a desired form (see element 1.3) and also teaches that it is known to provide a passenger floor which is not directly connected to the lower bent armor plate. Motivation to combine is the increased ease of manufacture of a shaped plate formed by merely bending a plate to a concave shape, instead of the more complicated process of forming a smoothly curved concave shape. Further motivation to combine is the increased safety of the passengers when a floor is used which does not transmit explosive forces from the armor plate to the floor upon which the passengers rest. See the Summary. To employ the teachings of Honlinger on the vehicle of Zonak and have the armor plate formed with a longitudinal bending edge and to have a passenger floor de-coupled from the armor plate is considered to have been obvious to one having ordinary skill in the art. In regard

to claim 25, note that “easily dismountable” is a relative term that is considered to be inherently met by the disclosed floor of Zonak or Honlinger.

3. Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zonak (6,658,984) in view of Honlinger (6,779,431), as applied to claims 18, 19, and 25 above, and further in view of Williams (5,533,781).

Zonak or Honlinger fail to show a carpet, in particular an aramide fabric carpet. Williams discloses a mine-detonation resistant understructure (i.e. armored) for a vehicle comprising an inwardly bent armor bottom plate 14, a floorboard 26 spaced above the bottom plate, and an aramid fiber (e.g. Kevlar) material 12 forming part of the floorboard. This material is considered to read over a “carpet” and is inherently “slip-resistant”. See especially column 3, line 54 – column 4, line 9; and column 6, line 1. Motivation to combine is either the substitution of an unspecified means of “splinter protection” for that in Honlinger, or the added safety available by the addition of the aramide fibrous material to the floor of Honlinger. To employ the teachings of Williams and Honlinger to the vehicle of Zonak and have aramid fiber carpet is considered to have been obvious to one having ordinary skill in the art.

4. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zonak (6,658,984), Honlinger (6,779,431) and Williams (5,533,781) as applied to claims 20-23 above, and further in view of Tasdemiroglu (4,664,967).

Zonak, Honlinger and Williams fail to show the “carpet” or aramid fiber secured to the floor only at edge regions. Tasdemiroglu teaches that it is well known to secure aramid fiber liners only at the edges (i.e. with edge channels). See especially column 3, lines 3-12. Motivation to combine is the mere substitution of one securing means (i.e. adhesive) for another known securing means to perform the same basic function. To employ the teaching of Tasdemiroglu on the structure of Williams and have the carpet secured only at the edges is considered to have been obvious to one having ordinary skill in the art.

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5. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zonak (6,658,984) in view of Honlinger (6,779,431) as applied to claims 18, 19, and 25 above, and further in view of Ikeda et al (6,114,014).

Zonak and Honlinger fail to show a rubber layer forming a slip resistant material on the upper surface of the floor. Ikeda et al teach that it is well known to use rubber to form a slip resistant material to go on the floor of a vehicle. See especially column 13, lines 31-41.

Motivation to combine is the improved performance of a particular vehicle floor by being covered to provide a non-slip surface. To employ the teaching of Ikeda et al on the structures of Honlinger and Zonak and have a floor mat formed from rubber is considered to have been obvious to one having ordinary skill in the art.

6. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zonak (6,658,984) in view of Honlinger (6,779,431) as applied to claims 18, 19, and 25 above, and further in view of either Gaudreau et al (2005/0121876) or Gerzeny et al (6,782,623).

Zonak and Honlinger fail to show the floor attached to the body walls by screws. Gaudreau et al and Gerzeny et al each teach that it is well known to secure vehicle floors to the body by means of screws. See especially column 2, paragraph 34 of Gaudreau et al or column 3, lines 43-50 of Gerzeny et al. Motivation to combine is the mere substitution of an unspecified securing means for a particular securing means to perform the same basic function. To employ the teachings of either Gaudreau et al or Gerzeny et al on the structures of Zonak and Honlinger and have the floor secured to the body by screws is considered to have been obvious to one having ordinary skill in the art.

7. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zonak (6,658,984) in view of Honlinger (6,779,431) as applied to claims 18, 19, and 25 above, and further in view of Smirlock et al (4,928,575).

Zonak and Honlinger fail to show modular armor plates mounted along an underside of the bottom plate. Smirlock et al teach that it is well known to secure modular armor plates on the underside of armored vehicle bodies. See especially element 40 in Figure 1. Motivation to combine is the addition of additional armor with the advantages of increased performance due to

greater protection. To employ the teaching of Smirlock et al on the vehicle of Zonak and have add on modular armor on the underside of the bottom plate is considered to have been obvious to one having ordinary skill in the art.

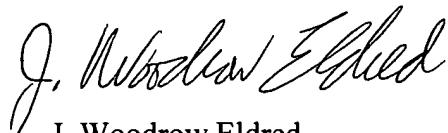
8. Claims 28 and 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 30-34 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Woodrow Eldred whose telephone number is 571-272-6901. The examiner can normally be reached on Monday to Thursday, from 8:00 a.m. to 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 571-272-6873. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J. Woodrow Eldred
Primary Examiner
Art Unit 3641